

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA and the
STATE OF TENNESSEE ex rel. JEFFREY H.
LIEBMAN and DAVID M. STERN, M.D.**

Plaintiff,

v.

**METHODIST LE BONHEUR
HEALTHCARE, METHODIST
HEALTHCARE-MEMPHIS HOSPITALS,**

Defendants.

Case No. 3:17-CV-00902

**District Judge William L.
Campbell, Jr.**

**Magistrate Judge Barbara D.
Holmes**

**INDEX OF EXHIBITS TO DEFENDANTS'
STATEMENT OF UNDISPUTED MATERIAL FACTS**

Exhibit No.	Document Description
<i>Declarations</i>	
Exhibit 1	Declaration of Todd Tillmanns, MD
Exhibit 2	Declaration of Sylvia Richey, MD
Exhibit 3	Declaration of Matthew Ballo, MD
Exhibit 4	Declaration of David Portnoy, MD
Exhibit 5	Declaration of Michael Berry, MD
Exhibit 6	Declaration of Gary Shorb
Exhibit 7	Declaration of Chris McLean
Exhibit 8	Declaration & Report of Todd Mello
Exhibit 9	Declaration & Report of Gregory Russo
Exhibit 10	Declaration of Brian Roark
<i>Affiliation Documents</i>	
Exhibit 11	Professional Services Agreement (“PSA”)
Exhibit 12	Management Service Agreement (“MSA”)
Exhibit 13	Asset Purchase Agreement (“APA”)
Exhibit 14	Leased Employee and Administrative Services Agreement (“LEA”)
Exhibit 15	Unwind Agreement (“UA”)
Exhibit 16	2019 Real Estate Purchase and Sale Agreement
Exhibit 17	2019 Asset Purchase Agreement
Exhibit 18	[Intentionally Left Blank]

Exhibit 19*	West Request for Proposal (“RFP”)
Exhibit 20*	Strategic Alliance Proposal to West Clinic (“RFP Response”)
<i>FMV and Related Documents</i>	
Exhibit 21	2011 ECG Fair Market Value Opinion (“FMV”)
Exhibit 22	2016 ECG Fair Market Value Opinion (“FMV”)
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Exhibit 24	Healthcare Appraisers, Inc. (“HAI”) Engagement Letter
Exhibit 25	2012 HAI Fair Market Value Opinion (“FMV”)
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Exhibit 28	2016 Pinnacle Fair Market Value Opinion (“FMV”)
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Exhibit 30*	2017 Pinnacle Fair Market Value Opinion (“FMV”)
Exhibit 31	2011 Horne Fair Market Value Opinion (“FMV”)
Exhibit 32	APA Promissory Note
Exhibit 33	APA Sources & Uses
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Exhibit 34	PwC Oncology Service Line Baseline Assessment
Exhibit 35*	Feb. 2013 CPQ Minutes
Exhibit 36*	2012 Strategic Presentation
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Exhibit 42	Overhead Allocation 2012-2018
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Exhibit 44	June 12, 2013 Cancer Council Minutes
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Exhibit 53	Excerpts of Deposition of Lee Schwartzberg
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* West Clinic has agreed that Methodist may publicly file this document that it previously designated as Confidential. (See Dkt. No. 108.)

Exhibit 55	Excerpts of Deposition of Bradley Somer
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Exhibit 64	Barkley, Ronald R. & Guidi, Teri U, "Oncologist-Hospital Alignment Models Built to Compensate Oncologists Fairly," JOURNAL OF ONCOLOGY PRACTICE (July 2011).
Exhibit 65	July 25, 2022 United States' Objections and Responses to Defendants' First Set of Interrogatories
Exhibit 66	Dec. 19, 2022 United States' Supplemental Objections and Responses to Defendants' First Set of Interrogatories to the United States
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Exhibit 72	The United States' Objections to Defendants' Notice of Taking Rule 30(b)(6) Deposition of the United States (Jan. 24, 2023)

DATED this the 14th day of April, 2023.

Respectfully submitted,

/s/ Brian D. Roark

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served on the following counsel via the Court's CM/ECF email notification system on this the 14th day of April, 2023:

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